

REMARKS

Claims 1-11, 13-23, 25-27, 29-31, 33-38, 40-41, 43, 45-48, 50-53, 55-56, 58, and 60-65 are currently pending and stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moncur, SAMS Teach Yourself JavaScript,” Oct. 2000 (“Moncor”) in view of Carney et al., U.S. Patent No. 5,774,729 (“Carney”). Applicant respectfully traverses this rejection.

The subject application was filed on August 7, 2003 as a continuation application under 37 C.F.R. § 1.53(b) of U.S. Patent Application No. 08/853,539, which issued as U.S. Patent No. 6,633,313 on October 14, 2003. A specific reference to the 08/853,539 application was added to the specification of the present application by a Preliminary Amendment filed September 12, 2003. Accordingly, the present application is entitled to an effective filing date of May 8, 1997, under 35 U.S.C. § 120.

Moncur was published in October 2000. Thus, Moncur does not qualify as prior art under 35 U.S.C. § 102(a), (b), (d) or (e). Further, the JavaScript functions relied upon in the Office Action (e.g., the SWITCH-CASE statements in the event handler function) were made available in JavaScript 1.2, which was released in June 1997.

Because Moncur does not qualify a prior art under Section 102, the purported combination of Moncur and Carney cannot support a *prima facie* case for rejecting Applicant's claims under Section 103(a). Applicant, therefore, requests withdrawal of the rejection under Section 103 and allowance of the pending claims.

Based on at least the foregoing remarks, the Applicant submits that the subject application is in condition for allowance. Accordingly, the Applicant requests a favorable examination and consideration of the application. In the event the application can be placed in better form, the Applicant requests that the undersigned attorney be contacted at the number below.

Respectfully submitted,

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